IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 410 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE D.A.MEHTA Sd/-

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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BHARATSINH KHUMANSINH - Applicant(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
BY POST for Applicant(s) : 1,
MR K.T.DAVE, APP. for Respondent(s) : 1,
None for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE D.A.MEHTA

Date : 17/03/2006

ORAL JUDGMENT

1 This petition for parole leave has been received by post. The principal ground on which the application is moved is for locating his identity card while he was serving in Army as according to him the same is required to be deposited with the Army as well as for obtaining discharge certificate and other documents for availing of benefits as Ex-Armyman. Another reason is for treatment of his ailing father. His grievance is that his applications moved before the authority are not being decided.

2 Mr.K.T.Dave, learned APP. appearing on behalf of the respondent has placed on record order dated 4/3/2006 made by I.G. Prisons whereunder the authority has rejected application for parole leave which was moved on the same grounds. The authority has also taken a note of the fact that

when the convict was granted parole leave he had absconded for a period of 3863 days. The same is the report of the jail authority. Mr.Dave also invited attention to order dated 28/6/2004 rejecting Special Criminal Application No. 626 of 2004 moved by the convict on identical ground.

3. Considering the fact that the jail report is against the petitioner and on identical ground he had already moved the Court once and his petition had been rejected and the fact that his pending applications have already been dealt with and rejected by I.G.Prisons vide order dated 4/3/2006, this application does not merit acceptance and is accordingly rejected. Petition stands disposed of accordingly. Rule discharged.

Sd/-
(D.A.MEHTA, J)

m.m.bhatt